

City Council  
Atlanta, Georgia

05-O-0746

A SUBSTITUTE ORDINANCE  
BY: IVORY LEE YOUNG, JR.

Z-05 17  
Date Filed: 2-25-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **638-640 Marietta Street, N.W.** be changed from the I-1 (Light Industrial) District to the C-3-C (Commercial Residential Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 82. 14<sup>th</sup> District, Fulton County, Georgia.

---

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**Conditions for Z-05-17 for 638-640 Marietta Street, N.W.**

1. Conditioned to the site plan submitted by the applicant for 638-640 Marietta Street, N.W to the Bureau of Planning on 03/08/05.
  2. First floor of structures along Marietta Street to have 25% fenestration provided at street level.
  3. No adult businesses allowed.
-

GRID NORTH  
C.A.D. 8411994  
C.A. WEST ZONE

NORTH AVE.  
(R/W VARIES)

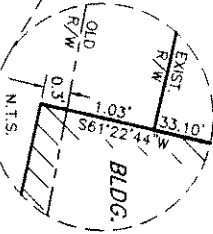
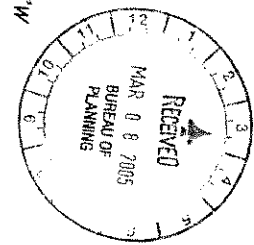
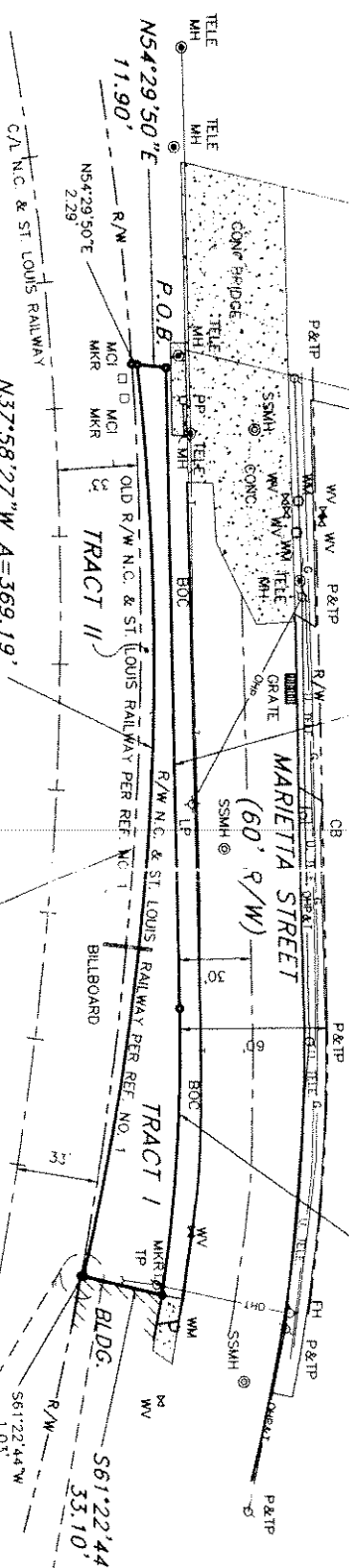
FLOOD NOTE  
THIS SITE IS NOT WITHIN A 100-YEAR  
FLOOD HAZARD AREA PER CITY OF ATLANTA  
FLOOD INSURANCE RATE MAPS  
COMMUNITY PANEL #135157 0026 C.  
LAST REVISED 3/4/87.

SURVEY REFERENCES  
1) SURVEY AND PLAT OF PROPERTY AT  
MARIETTA ST. AND NORTH AVE. FOR  
THE COCA-COLA COMPANY RECORDED  
IN PLAT 80 45, PG. 25 AND  
DEED BOOK 16, PG. 71.

THE COCA-COLA COMPANY

S37°45'11"E A=115.27'  
R=668.59' Lc=115.13'

2-05-17



TRACT I = 0.132 ACRES (5,733 SQ.FT.)  
TRACT II = 0.037 ACRES (1,607 SQ.FT.)  
TOTAL AREA = 0.169 ACRES (7,340 SQ.FT.)

LEGEND

- C/L CENTER-LINE
- R/W RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- G GAS LINE
- U UNDERGROUND TELEPHONE LINE
- OHP OVERHEAD POWER & TELEPHONE LINE
- CHP OVERHEAD POWER LINE
- P&TP POWER & TELEPHONE POLE
- TP TELEPHONE POLE
- PP POWER POLE
- TELE MH TELEPHONE MANHOLE
- SSMH SANITARY SEWER MANHOLE
- WM WATER METER
- WV WATER VALVE
- FH FIRE HYDRANT
- LP LIGHT POLE
- CB CATCH BASIN
- MKR MARKER



THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USES OF THAT NAME APPEARING IN THE TITLE BLOCK AND IS CERTIFIED TO NO OTHER PARTY.



**METRO** ENGINEERING AND SURVEYING CO., INC.  
CLAYTON/TARA AIRPORT  
186 SELFLEDGE ROAD  
HAMPTON, GA 30228  
(770) 707-0777  
E-mail: metroeng@aol.com

THE COCA-COLA COMPANY		REVISIONS	
LAND LOTS:	- 82		
DISTRICT:	- 14th		
COUNTY:	- FULTON		
STATE:	- GEORGIA		
DATE:	- 5/16/01		
SCALE:	- 1"=50'		
DWN:	CHKD:		
JOB No.:	DISK:		
FILE:			

City Council  
Atlanta, Georgia

**05-0 -0746**

AN ORDINANCE  
BY: IVORY LEE YOUNG, JR.

**Z-05 17**  
Date Filed: 3-8-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **638-640 Marietta Street, N.W.**, be changed from the I-1 (Light Industrial) District to the C-3 (Commercial Residential) District to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 82, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

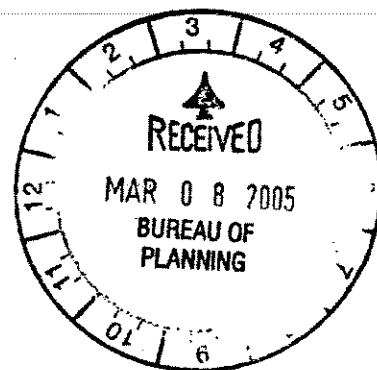
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

# EXHIBIT A

## Legal Description Tract I (Coca-Cola)

All of that tract or parcel of land lying and being in Land Lot 82, 14<sup>th</sup> District, Fulton County, Georgia containing 0.132 acres (5,733 sq. ft.) and being more particularly described as follows;

Beginning at a ½" iron pin placed at the intersection of the south right of way line of North Avenue (having a variable right of way) with the west right of way line of Marietta Street (having a 60 foot right of way line) thence along said right of way line of Marietta Street South 42°41'32" East, a distance of 257.93 feet to a point; thence along a curve to the right having a radius distance of 668.59 feet and a arc distance of 115.27 feet and being subtended by a chord bearing South 37°45'11" East, a distance of 115.13 feet to a ½" iron pin placed at a corner of a building; thence leaving said right of way line of Marietta Street and along the face of a building South 61°22'44" West, a distance of 33.10 feet to a ½" iron pin placed at the face of a building and the east right of way line of N.C. and St. Louis Railway; thence in a northerly direction along said right of way line of N.C. and St. Louis Railway along a curve to the left having a radius distance of 1057.51 feet and a arc distance of 369.19 feet and being subtended by a chord bearing of North 37°58'27" West, a distance of 367.32 feet to a ½" iron pin placed; thence leaving said right of way of said railway North 54°29'50" East, a distance of 11.90 feet to a ½" iron pin placed **THE TRUE POINT OF BEGINNING.**



Z-05-17